

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

INDEPENDENT BANK, ET AL.,

Defendants.

CIVIL ACTION NO. 6:21-cv-1054-ADA

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS INDEPENDENT

WHEREAS, one or more third party agreements have resolved some or all of the claims between Plaintiff Textile Computer Systems, Inc. (“Textile”) and Defendant Independent Bank (“Independent”).

NOW, THEREFORE, Textile and Independent, through their attorneys of record, request that the Court dismiss with prejudice all claims asserted by Textile against Independent in this case that are licensed under the one or more third party agreements including, but not limited to, any debit or credit cards issued, and/or transactions processed in whole or in part, by Fiserv, Inc., Fiserv Solutions, LLC, U.S. Bank National Association (d/b/a Elan Financial Services), U.S. Bancorp, and/or any of their respective affiliates; to dismiss without prejudice all other claims asserted by Textile against Independent in this case; and to dismiss without prejudice Independent’s claims, defenses, or counterclaims for relief against Textile, with each party to bear their own attorneys’ fees, costs of court, and expenses.

Dated: December 13, 2022

Respectfully submitted,

/s/ Matthew J. Antonelli
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on December 13, 2022.

/s/ Matthew J. Antonelli

Matthew J. Antonelli